

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

NICHOLAS S. ROY,

**Plaintiff,**

V.

VICTORIA BARSHAW, *et al.*,

### Defendants.

Case No. C06-5296FDB

**ORDER ADOPTING REPORT  
AND RECOMMENDATION  
AND GRANTING  
SUMMARY JUDGMENT**

Plaintiff asserted retaliation claims, among others, which the Magistrate Judge recommends be dismissed on Defendants' motion for summary judgment for reasons elaborated in the Report and Recommendation. Plaintiff filed objections, to which Defendants filed a response. Plaintiff's objections do not persuade the Court that the Magistrate Judge's analysis and conclusions is flawed.

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion for summary judgment and motion to dismiss are GRANTED;
- (3) Plaintiff's causes of action are DISMISSED; and plaintiff's pending motions, if any, are denied as being moot;
- (4) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley Arnold

DATED this 7<sup>th</sup> day of November 2007.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE